

REMARKS

Applicant respectfully requests reconsideration of this application.

Office Action Rejections Summary

Claim 55 has been rejected under 35 U.S.C. §112, first and second paragraphs.

Claims 31 and 42 have been rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 5,870,265 of Boutaghou (“Boutaghou”).

Claims 43, 56, and 57 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou.

Claim 55 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou in view of U.S. Patent No. 6,351,345 of Kameyama (“Kameyama”).

Claims 33 and 45 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou in view of U.S. Patent No. 5,644,451 of Chan et al. (“Chan”).

Claims 34-41, 46, 47, and 52-54 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 58-64 have been allowed.

Status of Claims

Claims 24-64 are pending in the application. Claims 24-30, 32, 44 and 48-51 stand withdrawn from current consideration. Claim 55 is currently being withdrawn. No claims have been amended. No claims have been added. No new matter has been added. No claims have been canceled by this response.

Claims 34-41, 46, 47, and 52-54 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims. Claims 58-64 have been allowed. Therefore, the following remarks are directed to the rejected claims.

NOTICE OF INTENT TO REINSTATE WITHDRAWN CLAIMS

If independent claims 31 and 43 are held to be allowable, it is respectfully submitted the examiner must thereafter examine the currently withdrawn species claims 32 and, 44, 48-51, 55 that depend from independent claims 31 and 43, respectively.

Claim Rejections

Claim 55 has been rejected under 35 U.S.C. §112, first and second paragraphs, as the claimed invention is not described in such full, clear, concise, and exact terms as to enable any person skilled in the art to make and use the same, and/or for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. It is submitted that claim 55 was inadvertently elected as reading on the load/unload environment. Applicant respectfully requests that claim 55 be withdrawn from current consideration as being drawn to a nonelected species.

Claims 31 and 42 have been rejected under 35 U.S.C. §102(b) as being clearly anticipated by Boutaghou. It is submitted that claims 31 and 42 are patentable over the cited reference.

Claim 31 recites:

A magnetic recording disk, comprising:
a first zone to store data;
a second zone adjacent to the first zone, **the second zone having a surface to increase a fly height of a head greater than when the head is operating over the first zone;** and
a third zone adjacent to the second zone in which to park the head thereabove.

(emphasis added)

The Office Action states:

Note the figures 1, 3, and 4. Boutaghou shows a disk drive (see figure 1) with a disk having textured data zones (36,37), a textured parking zone (34), and a substantially smooth safe zone (20). **The flying height of the head is increased in the safe zone – i.e. on the average there is a greater spacing between the head and the uppermost face portion of the disk.** Also note that the recitations of “adjacent” do not require the various zones to have a common boundary.

(Office action, 3/29/06, p. 3)(emphasis added)

Applicant respectfully disagrees with the Office Action’s analysis and characterization of Boutaghou. For sake of argument, even if there is a greater spacing between the slider 25 and the zone 20 surface than between slider 25 and the recording surface, such does not mean that the “fly height” of the slider 25 is increased when the slider is over the idle fly zone 20. Rather, Boutaghou describes a system wherein the flight height of the slider 35 (or the head) is the same or lower over the idle fly zone 20 than the flight height of the slider over the recording zones (Boutaghou, col. 3, lines 40-42 and col. 3, lines 51-52;). Specifically, Boutaghou states:

Preferably, **when the slider 35 is above the idle fly zone 20, the slider 35 is in full fly or lightly in contact with a recording surface 36** to assure minimal wear generation or no wear generation in the slider 25 or disc 12. (Boutaghou, col. 3, lines 40-43)

Nothing in Boutaghou discloses that the fly height of slider 35 is increased over idle fly zone 20. In contrast to the disclosure of Boutaghou, claim 31 of the present application includes the limitation of a “second zone having a surface to increase a fly height of a head greater than when the head is operating over the first zone.” Therefore, claim 31 is patentable over Boutaghou. For reasons similar to those given with respect to claim 31, it is submitted that claim 42 is patentable over Boutaghou.

Claims 43, 56, and 57 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou. It is submitted that claims 43, 56, and 57 are patentable over Boutaghou.

Claim 43 recites:

A disk drive, comprising:
a slider comprising a Hall effect head or a head having a magneto-resistance read element; and
a magnetic recording disk comprising:
a first zone to store data;
a second zone adjacent to the first zone, **the second zone having a surface to increase a fly height of the slider greater than when the slider is operated over the first zone;** and
a third zone adjacent to the second zone in which to park the slider thereabove

(emphasis added)

The Office Action states in part:

Boutaghou shows a disk drive with a magnetic disk having three zones substantially as claimed.

(Office Action, 3/29/06, p. 4)

Applicant respectfully disagrees with the Office Actions assertions. In particular, it is submitted that Boutaghou does not teach or suggest a surface to increase the fly height of a slider to be greater than when the slider is operated over a data zone. Rather, Boutaghou teaches a system wherein the flight height of the slider (or the head) is the same or lower over the idle fly zone than the flight height of the slider over the zones where data tracks are located (Boutaghou, col. 3, lines 40-42 and col. 3, lines 51-52;).

In contrast to the teachings of Boutaghou, claim 43 of the present application includes the limitation of a “second zone having a surface to increase a fly height of the slider greater than when the slider is operating over the first zone.” Therefore, claim 43 is patentable over Boutaghou. It is submitted that claims 56 and 57 are also patentable over

Boutaghou given that claims 56 and 57 depend from and, therefore, include the limitations of claim 43 noted above.

Claim 55 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou in view of Kameyama. It is submitted that claim 55 has been withdrawn and, therefore, the rejection with respect to claim 55 is moot.

Claims 33 and 45 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Boutaghou in view of Chan. Claims 33 and 45 depend from and, therefore, include the limitations of their respective independent claims 31 and 43. It is submitted that Chan fails to cure the deficiencies of Boutaghou noted above in regards to independent claims 31 and 43 and, therefore, claims 33 and 45 are patentable over the cited references.

In conclusion, applicant respectfully submits that in view of the arguments set forth herein, the applicable rejections have been overcome.


If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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